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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 29th September, 1965/Asvina 7, 1887 (Saka)

THE RAILWAYS (EMPLOYMENT OF MEMBERS OF THE ARMED FORCES) ORDINANCE, 1965

No. 4 OF 1965

Promulgated by the President in the Sixteenth Year of the Republic of India.

An Ordinance to make certain provisions relating to the employment of members of the Armed Forces of the Union in the working and management of railways.

WHEREAS a Bill to make certain provisions relating to the employment of members of the Armed Forces of the Union in the working and management of railways has been introduced in Parliament but has not yet been passed;

AND WHEREAS both Houses of Parliament are not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the Bill;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promul-

gate the following Ordinance :—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the Railways (Employment of Members of the Armed Forces) Ordinance, 1965.

(*2*) It extends to the whole of India.

(*3*) It shall come into force at once.

Interpretation.

2. Words and expressions used in this Ordinance and defined in the Indian Railways Act, 1890, shall have the meanings respectively assigned to them in that Act. 9 of 1890.

Employment of members of Armed Forces of the Union to assist a railway administration in connection with the service of a railway.

3. (*1*) When any member of the Armed Forces of the Union is employed to assist a railway administration in connection with the service of a railway, then, whether such employment was before or is after the commencement of this Ordinance,—

(*a*) any provision of the Indian Railways Act, 1890, or of the rules made thereunder, which confers a power, status or immunity, or imposes a duty or liability, upon a railway servant, in connection with the working, use, management and maintenance of railways, shall be construed as conferring the same power, status or immunity or imposing the same duty or liability, as the case may be, upon such member of the Armed Forces of the Union when so employed ; 9 of 1890.

(*b*) the employment of a member of the Armed Forces of the Union, in addition to or in the place of any railway servant, shall not affect any liability that would have attached to the railway administration had such member been a railway servant.

(*2*) Nothing in sub-section (*1*) shall be construed as making applicable to the members of the Armed Forces of the Union employed to assist a railway administration the provisions of Chapter VIA of the Indian Railways Act, 1890, or as derogating from any provision of a law regulating the governance, control and discipline of the members of the Armed Forces of the Union. 9 of 1890.

Employment of members of Armed Forces of the Union to replace railway administration in working a railway.

4. If at any time the whole of the working, management and maintenance of a railway, or of a specific portion or section of a railway, is assumed by the Armed Forces of the Union, the Central Government may notify the fact of such assumption in the Official Gazette, and thereupon, so long as such assumption continues, the Indian Railways Act, 1890, shall cease to be applicable to the Railway or the portion or section of a Railway concerned. 9 of 1890.

S. RADHAKRISHNAN,
President.

R. C. S. SARKAR,
Secy. to the Govt. of India.

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